

**A-6234 (Special Permit Request)**  
**Mr. and Mrs. Steven Sprenger,**  
**5501 Park Street**

Widen an existing concrete driveway that would measure a maximum of twenty (20) feet in width in the front (south) yard of the property.

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CHEVY CHASE VILLAGE  
BOARD OF MANAGERS  
NOVEMBER 13, 2012 MEETING  
STAFF INFORMATION REPORT

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TO: BOARD OF MANAGERS  
FROM: ELLEN SANDS, PERMITTING AND CODE ENFORCEMENT COORDINATOR  
DATE: 11/8/2012  
SUBJECT: HEARING OF APPEAL CASE NO. A-6234  
MR. & MRS. STEVEN SPRENGER, 5501 PARK STREET  
WIDEN AN EXISTING CONCRETE DRIVEWAY THAT WOULD MEASURE A MAXIMUM OF  
TWENTY (20) FEET IN WIDTH IN THE FRONT (SOUTH) YARD OF THE PROPERTY

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NOTICE REQUIREMENTS: Abutting Owners; Public Notice

APPLICABLE CHEVY CHASE BUILDING REGULATION:

**The Chevy Chase Village Code § 8-26 states:**

Any driveway on private property may not exceed fifteen (15) feet in width without a special permit from the Board of Managers, except that the apron in front of a two-car garage may extend the full width of the two-car garage, provided that such apron does not exceed twenty (20) feet in length.

FINDINGS REQUIRED:

1. That the proposed special permit is authorized by the Village building regulations.
2. That the proposed special permit will not adversely affect the public health, safety or welfare nor the reasonable use of the adjoining properties.
3. That the proposed special permit can be granted without substantial impairment of the purpose and intent of the Village building regulations.
4. That the structure authorized by the proposed special permit would not violate the covenants applicable to the subject property.

APPLICABLE COVENANTS:

None; covenants are not required for Special Permits authorized by Section 8-26 of the Village Code.

FACTUAL AND BACKGROUND INFORMATION:

The current driveway parking area measures eighteen (18') feet in width and twenty-four (24) feet in length. Then over a distance of twelve (12) feet in length the driveway tapers to nine (9) feet in width, flanked by a fourteen (14) inch gravel edge on each side.



Figure 1: View of the existing driveway. The driveway measures nine (9) feet in width at the neck of the street apron. The gravel bands are fourteen (14) inches each in width. The property line is located approximately eighteen (18) feet from the curb.



Figure 2: View of the existing parking pad, which would shift five (5) inches to the west (away from the house) and be widened by an additional two (2) feet.

The Applicants' submission indicates the proposed driveway would be a maximum of ten (10) feet in width in the public right-of-way. At the property line the driveway would widen to a parking pad that measures twenty (20) feet in width by twenty-four (24) feet in length (see plan provided by Applicants).

The Applicants amended their application on November 8, 2012 eliminating a request for a driveway wider than ten (10) feet in width in the public right-of-way. They have submitted a revised plan for a compliant driveway in the public right-of-way.

There is no garage at the property.

The Village arborist has assessed the project for tree protection measures and has established limits for disturbance which accommodate the proposed project.



To date there have been no letters received from abutting and confronting neighbors regarding the request.

Applicable Fees: Special Permit Fee: \$300.00; Building Permit Application for Driveways and Features at Grade: \$30. Total: \$330.00

**RELEVANT PRECEDENTS (8-26):**

Many of the precedents related to driveway special permit requests involve requests for circular driveways (which have more than one pair of curb cuts), requests for “turnarounds”, or requests for aprons wider than allowed in front of two-car garages, none of which are applicable in this case. This request does not involve an additional curb cut and the request is to accommodate two cars parked side-by-side, not a “turn around” or apron in front of a garage (there is no garage at this property). The most relevant precedents therefore are as follows: On June 13, 1994 Mr. & Mrs. David Winstead of 5505 Kirkside Drive were granted permission to **construct** a parking pad measuring eleven (11) by seventeen (17) feet. On September 11, 1995 Mr. Brian Smith & Ms. Donna Holverson of 35 West Lenox Street failed to obtain permission for a “carriage court” measuring twenty (20) feet by twenty (20) feet. On November 9, 1999, Ms. Susan Gallagher and Mr. Michael Williams of 21 East Melrose Street were granted permission to **expand** an existing driveway an additional fifteen (15) feet, increasing the total width of the driveway to forty-five (45) feet at the property line. (This was to allow parking adjacent to a garage on Brookville Road. An existing driveway in the west side yard of the property was removed as part of the project). In September 2010, Mr. & Mrs. Stephen C. Conley of 9 West Lenox Street were granted a special permit to **replace and expand** an existing gravel driveway with a paver driveway. The apron and turnaround area are located on private property and would have a maximum width of fifty-four (54) feet. On July 11, 2011, Laura Billings and David O’Neil of 5803 Kirkside Drive were granted permission to **replace** an existing concrete driveway with a brick driveway that measures a maximum of sixteen (16) feet in width in the Kirkside Drive public right-of-way and to **replace** an existing concrete driveway with a brick driveway that measures a maximum of twenty (20) feet in width on private property. On June 9, 2012 Mr. & Mrs. Alvin Schall of 103 Grafton Street were granted permission to **widen** an existing driveway to a maximum width of sixteen (16) feet. On October 8, 2012 Ms. Nancy Orvis and Mr. Michael Fistere of 12 West Irving Street were granted permission to **replace** an existing concrete driveway, the garage apron of which measures a maximum of twenty-three feet, seven inches (23’-7”) in width.

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**Draft Motion**

I move to direct staff to draft a decision **APPROVING/DENYING** the special permit request in case A-6234 (a), based on the findings that ...



**CHEVY CHASE VILLAGE**  
**NOTICE OF PUBLIC HEARING-*AMENDED NOVEMBER 8, 2012***

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Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 13<sup>th</sup> day of November, 2012 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

**APPEAL NUMBER A-6234 (a) & (b)**  
**MR. & MRS. STEVEN SPRENGER**  
**5501 PARK STREET**  
**CHEVY CHASE, MARYLAND 20815**

The applicants seek a special permit pursuant to Section 8-11 of the Chevy Chase Village Code to: (a) widen an existing concrete driveway that would measure a maximum of twenty (20) feet in width in the front (south) yard of the property; and (b) widen the existing driveway that would measure a maximum of twelve (12) feet in width in the Park Street public right-of-way.

**The Chevy Chase Village Code § 8-26 states:**

Any driveway on private property may not exceed fifteen (15) feet in width without a special permit from the Board of Managers, except that the apron in front of a two-car garage may extend the full width of the two-car garage, provided that such apron does not exceed twenty (20) feet in length.

**Additionally:**

**The Chevy Chase Village Code § Sec. 8-30 (a) states:**

~~Any portion of a private driveway which crosses the public right-of-way may not exceed ten (10) feet in width without a special permit from the Board of Managers, except that the apron where the driveway connects with the street shall be allowed a five-foot radius on each side of the driveway for a total entrance at the curbside not to exceed twenty (20) feet in width.~~

Additional information regarding this case may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at [www.chevychasevillagemd.gov](http://www.chevychasevillagemd.gov) or you may contact the office for this information to be mailed to you.


This notice was mailed to abutting and confronting property owners on the 8<sup>th</sup> day of November, 2012.

**Chevy Chase Village Office**  
**5906 Connecticut Avenue**  
**Chevy Chase, Maryland 20815**  
**301-654-7300**

**MAILING LIST FOR APPEAL A-6234 (A) & (B)**

**MR. AND MRS. STEVEN M. SPRENGER**  
**5501 PARK STREET**  
**CHEVY CHASE, MARYLAND 20815**

<b>Adjoining and confronting property owners</b>	
Mr. and Mrs. Craig Van Note Or Current Resident 5500 Park Street Chevy Chase, MD 20815	Mr. & Mrs. Michael Truman Or Current Resident 5502 Park Street Chevy Chase, MD 20815
Ms. Melissa T. Skofield & Mr. Frank W. Curtis Or Current Resident 5517 Park Street Chevy Chase, MD 20815	Mr. and Mrs. Gregory Dixon Or Current Resident 5500 Montgomery Street Chevy Chase, MD 20815
Ms. Michelle Chua & Mr. Yannis Halikias Or Current Resident 5502 Montgomery Street Chevy Chase, MD 20815	Mr. Carl S. Giuffrida Or Current Resident 5504 Montgomery Street Chevy Chase, MD 20815
Ms. Sarah J. Iliffe & Mr. Louie Eroglu Or Current Resident 5607 Belmont Avenue Chevy Chase, MD 20815	Ms. Ellen D. Downing Or Current Resident 5515 Park Street Chevy Chase, MD 20815
Saks Fifth Avenue Or Current Occupant 5555 Wisconsin Avenue Chevy Chase, MD 20815	

  
I hereby certify that a public notice was mailed to the aforementioned property owners on the 1<sup>st</sup> day of November 2012.

**Ellen Sands**  
**Permitting and Code Enforcement Coordinator**  
**Chevy Chase Village**  
**5906 Connecticut Avenue**  
**Chevy Chase, MD 20815**



November 1, 2012

Mr. & Mrs. Steven Sprenger  
5501 Park Street  
Chevy Chase, MD 20815

Dear Mr. & Mrs. Sprenger:

Please note that your requests to construct the front steps and widen the driveway on your property, and widen the driveway in the public right-of-way abutting your property are scheduled before the Board of Managers on Tuesday, November 13, 2012 at 7:30 p.m.

- Either you or another representative must be in attendance to present your cases. At that time, additional documents may be introduced and testimony can be provided in support of the requests.

For your convenience, enclosed please find copies of the Public Hearing Notices and mailing lists. Please contact the Village office in advance if you are unable to attend.

Sincerely,

Ellen Sands  
Permitting and Code Enforcement  
Chevy Chase Village

Enclosures

CHEVY CHASE VILLAGE

5906 Connecticut Avenue  
Chevy Chase, Maryland 20815

Phone (301) 654-7300

Fax (301) 907-9721

ccv@montgomerycountymd.gov  
www.chevychasevillagemd.gov

BOARD OF MANAGERS

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*Board Member*

VILLAGE MANAGER  
SHANA R. DAVIS-COOK



**Chevy Chase Village  
Building Permit Application for  
Driveways and Other Features at Grade**

Permit No:

<b>Property Address:</b> 5501 PARK STREET	
<b>Resident Name:</b> STEVE & CHERIE SPRENGER	
Daytime telephone: SAME	Cell phone: 301.928.4695
After-hours telephone: SAME	
E-mail: CHERIE M SPRENGER @ GMAIL.COM	
<b>Primary Contact for Project:</b> <input type="checkbox"/> Resident <input checked="" type="checkbox"/> Architect <input type="checkbox"/> Project Manager <input type="checkbox"/> Contractor* *MHIC/MD Contractor's License No. (required):	
<b>Primary Contact Information:</b> Name: MICHAEL P. BRUCKWICK, AIA Daytime telephone: 301.652.8300 After-hours telephone: 240.535.6200 E-mail: MBRUCKWICK@KBARCHITECTURE.COM	
<b>Check all that apply:</b> <input checked="" type="checkbox"/> Driveway (If a new curb cut is required, note additional fee.) <input checked="" type="checkbox"/> Walkway <input checked="" type="checkbox"/> Patio, terrace, or deck at grade	
<b>Check all appropriate boxes:</b> Feature is: <input type="checkbox"/> new; <input checked="" type="checkbox"/> an enlargement of an existing feature; and/or <input type="checkbox"/> being relocated. <input type="checkbox"/> Feature is a replacement in-kind and in the same location.	
<b>Description of project:</b> PLEASE SEE ATTACHED	
<i>To be completed by Village staff:</i> Is this property within the historic district? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Staff Initials: <u>SB</u> Date application filed with Village: <u>10/22/12</u> Date permit issued: _____ Expiration date: _____	

## **Guidelines for Building, Replacing and Maintaining Driveways**

Village Code states that any person intending to install, replace or alter a driveway, or any material part thereof, must first obtain a Building Permit from the Village office. (Residents within the Historic District must also obtain a Historic Area Work Permit; please contact the Historic Preservation Commission directly.)

Driveways are regulated in three areas: (1) the portion of the driveway located on private property, (2) the portion of the driveway that crosses the public right-of-way, and (3) the driveway apron, which is the portion of the driveway that meets the public street. Please refer to the illustration below for an example of these components.

### ***(1) Driveways on Private Property***

Driveways on private property may be installed using any material the resident chooses (although residents within the Historic District must consult with HPC), provided that the driveway does not exceed fifteen feet (15') in width. Village Code allows residents to install a wider garage apron—the section of a driveway just forward of a garage—for two-car garages. The apron in front of a two-car garage may extend the full width of the two-car garage for a distance up to twenty feet (20') from the face of the garage. The Code applies this accommodation only for two-car garages.

### ***(2) Driveways on the Public Right-of-Way***

All driveways must cross the public right-of-way to access the street, but where private property ends and the public right-of-way begins ends is not always consistent from street to street, and may even vary from block to block (as discussed above). The first step is to determine where the right-of-way begins in front of your property. Your proposed driveway cannot exceed ten feet (10') in width where the driveway crosses the right-of-way. Also, if your driveway (whether new or replacement) crosses or intersects with a public sidewalk, the sidewalk material must be restored/maintained across the driveway so as to create a continuous public sidewalk of consistent material type.

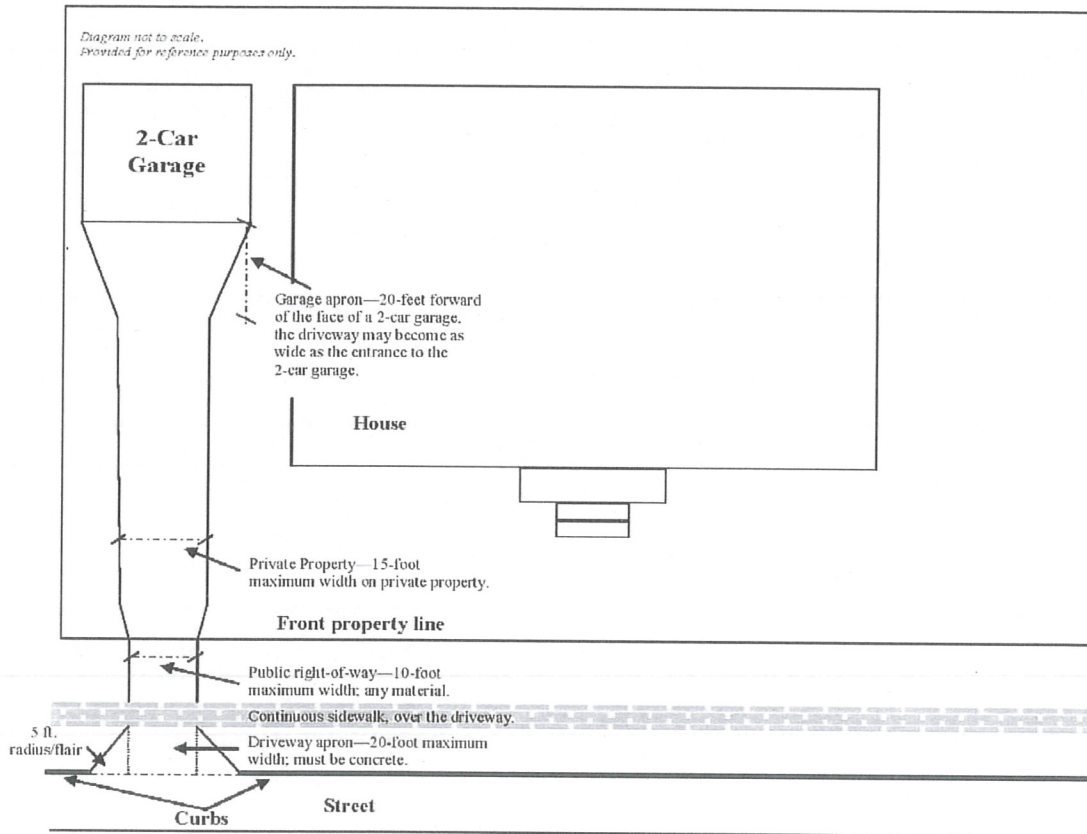
### ***(3) Driveway Aprons***

The driveway apron is the portion of the driveway that meets the public street. In addition to the ten foot (10') maximum width of the driveway where the driveway crosses the public right-of-way, the Village Code allows a five foot (5') radius on either side to establish the driveway apron, thereby allowing a maximum width at the curb of twenty feet (20'). While driveways on private property may be installed in any material or color that residents choose, the Village Code specifies that the driveway apron must be installed using concrete in accordance with current Montgomery County standards. Thus, no matter the material used for the driveway itself, the apron must be concrete.

Village Code limits the number of curb cuts permitted per property to one. Accordingly, residents who wish to install a circular driveway will need to request a variance from the Board of Managers.

Unlike other improvements in the public right-of-way, a **License to Use the Public Right-of-Way** is not required to install or replace driveways or driveway aprons. Replacement of a driveway apron is the sole responsibility of the adjoining property owner, not the Village.

**Example:**



## Building Permit Application Filing Requirements

*Application will not be reviewed until the application is complete*

- ☐ Copy of stamped approved plans from Montgomery County.
- ☐ This application form, signed by resident.
- ☐ Boundary Survey
- ☐ Site Plan (see: Village Site Plan Checklist to ensure completeness) showing exact location of existing and proposed features.
- ☐ Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
- ☐ Filing Fee (due at time of application). Fee schedule is listed in Chapter 6 of the Village Code.
- ☐ Damage deposit or performance bond (due when permit is issued). Amount will be set by Village Manager.

*Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days. If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed. No signs advertising any service provider may be posted on the work site.*

**I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.**

**Applicant's Signature:** Chevie M. Spengler **Date:** 10/22/12



<b>For Use By Village Manager</b>	<b>Application approved with the following conditions:</b>
<b>For Use By Village Manager</b> <div style="border: 2px solid black; padding: 10px; text-align: center;"> <b>DENIED</b>  OCT 25 2012  Chevy Chase  Village Manager </div>	<b>Application denied for the following reasons:</b>

<b>Filing Fees</b> (due when application submitted)  Permit Filing Fee: <input checked="" type="checkbox"/> \$30.00 (if new, enlarged or relocated) <input type="checkbox"/> \$15.00 (if a replacement in-kind and in the same location) <input type="checkbox"/> \$50.00 for new curb cut. <input type="checkbox"/> \$50.00 for construction in the Public Right-of-Way.  Tree Preservation Plan Fee: <input type="checkbox"/> \$250.00 <input checked="" type="checkbox"/> Not required for this project <i>previously assessed</i>  TOTAL Fees:	<b>Checks Payable to:</b> <div style="text-align: right;"> <b>Chevy Chase Village</b>  <b>5906 Connecticut Ave.</b>  <b>Chevy Chase, MD 20815</b> </div>          Date:  Staff Signature:
<b>Damage Deposit/Performance Bond</b> <input type="checkbox"/> \$ _____ <input type="checkbox"/> Waived by Village Manager	Date:  Village Manager Signature:

<i>For Village Staff use:</i>  Field file for inspections by Code Enforcement Officer has been created: <input type="checkbox"/> Yes (Date: _____)
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# Chevy Chase Village Application for a Special Permit

*Chevy Chase Village Code Section 8-1(aa) defines a Special Permit as permission granted by the Board of Managers in accordance with Article II Division B of this Chapter [8], to construct, install, remove or alter a structure or planting, or take other action where such permission is required by this Chapter.*

Subject Property:	5501 PARK STREET
Describe the Proposed Project:	WIDEN DRIVEWAY - SEE ATTACHED
Applicant Name(s) (List all property owners):	Cherie + Steve Sprenger
Daytime telephone:	Cell: 301-928-4695
E-mail:	cheriemsprenger@gmail.com
Address (if different from property address):	
For Village staff use:	
Date this form received:	10/22/12
Special Permit No:	A 6234-216

## Filing Requirements:

**Application will not be accepted or reviewed until the application is complete**

- ☐ Completed Chevy Chase Village Application for a Special Permit (this form)
- ☐ Completed Chevy Chase Village Building Permit Application
- ☐ A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existing structures, projections and impervious surfaces.
- ☐ Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of all structures/fences/walls/etc., existing and proposed to be erected, and the distances of such structures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
- ☐ Copy of Covenants, except for special permits authorized by Sections 8-22, 8-26 or Article IV of Chapter 8 of the Chevy Chase Village Code.
- ☐ Applicable special permit fee listed in Chapter 6 of the Village Code.

## Affidavit

I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designee, and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation to this special permit request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set forth in the foregoing application are true and correct to the best of my knowledge, information and belief.

Applicant's Signature: Cherie M. Sprenger Date: 10/22/12

Applicant's Signature: [Signature] Date: 10/22/12

**Describe the basis for the special permit request** (attach additional pages as needed):

Describe the reasons why approval of the special permit would not adversely affect the public health, safety or welfare or the reasonable use of adjoining properties:

THE DESIGN IS CONSISTENT WITH OTHER  
SIMILAR APPROVED PROJECTS WITHIN THE VILLAGE

Describe the reasons why the special permit can be granted without substantial impairment of the intent and purpose of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

PLEASE SEE ABOVE & ATTACHED

*In exercising its powers in connection with a special permit request, the Chevy Chase Village Board of Managers may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.*

<b>Special Permit Filing Fees</b> <i>check #300</i> <i>Per Village Code Sec. 6-2(a)(24):</i>	<b>Checks Payable To:</b> <b>Chevy Chase Village</b> <b>5906 Connecticut Ave.</b> <b>Chevy Chase, MD 20815</b>
<input checked="" type="checkbox"/> \$300.00 for new construction. <input type="checkbox"/> \$150.00 for replacing existing non-conformities. <input type="checkbox"/> \$2,250.00 for demolition of main building. <input type="checkbox"/> \$300.00 for demolition of accessory building or structure. <input type="checkbox"/> \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way. <b>Fee Paid:</b> <i>\$300.00</i>	<b>Date Paid:</b> <i>10/23/12</i> <b>Staff Signature:</b> <i>[Signature]</i>
	<b>Approved to Issue Building Permit per Board Decision Signed by the Board Secretary on:</b>  <b>Date:</b> _____  <b>Signature:</b> _____ <b>Village Manager</b>



8 November 2012

Chevy Chase Village  
5906 Connecticut Ave.  
Chevy Chase, Maryland 20815

**Re: Sprenger Residence**  
**Cherie & Steve Sprenger**  
**5501 Park Street**  
**Chevy Chase, Maryland 20815**

Regarding the proposed driveway expansion project, and the new front walk and stair project on the Sprenger's property at 5501 Park Street, we ask that the board allow the proposed works based on the following grounds.

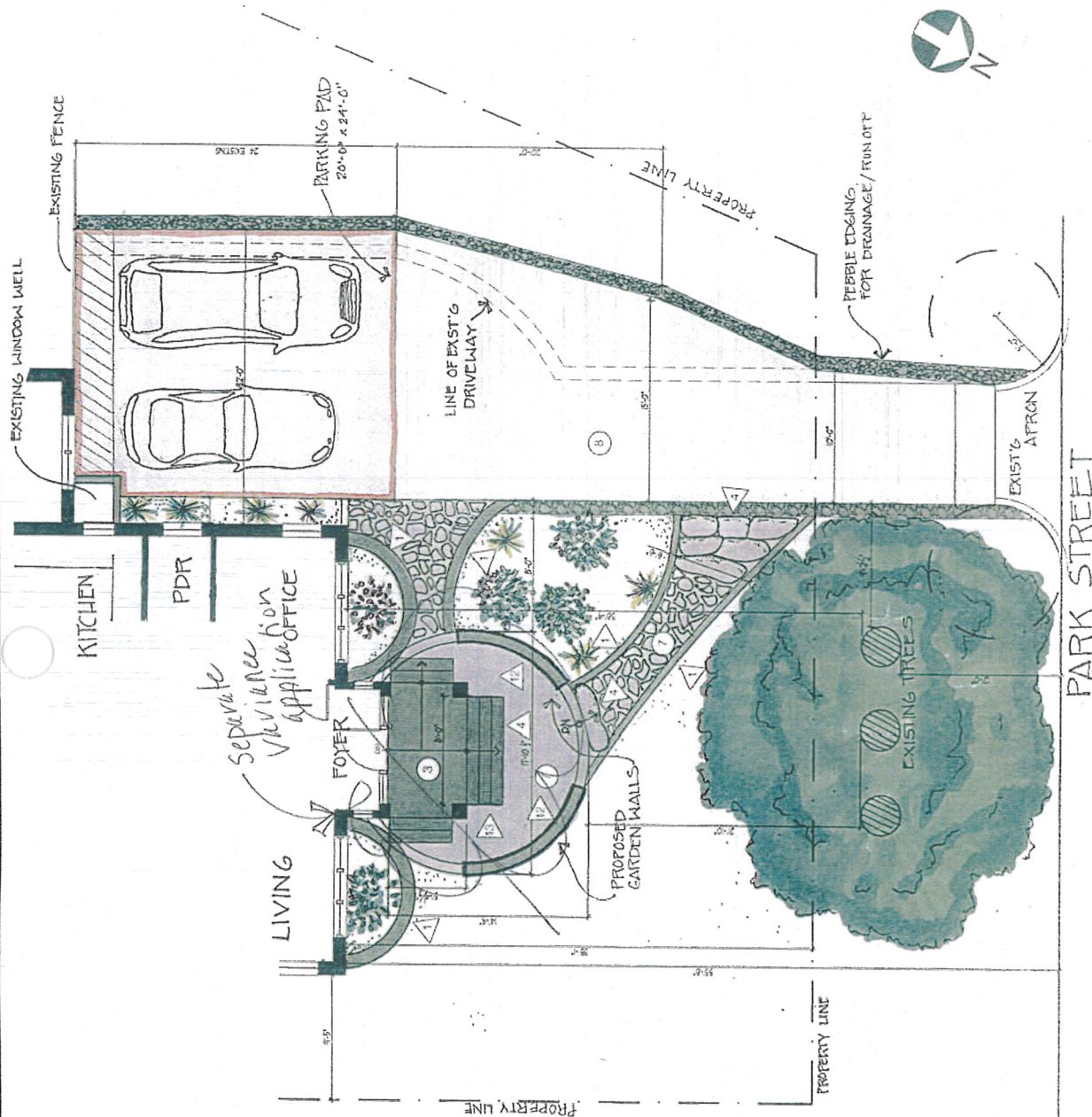
*Driveway Project:*

SPECIAL PERMIT  
A-6284

The driveway project grew from safety concerns due to the existing slope of the front yard down and into the street, and the change in grade of the existing driveway. The driveway is currently too narrow to allow one car to pull out while the other is parked without slipping off the driveway or into the other car. The existing driveway includes an 18ft. x 24ft. parking pad beginning 1ft 7in. from the house, which connects to Park Street on the side of the lot facing Belmont Avenue. We intend to shift the parking pad 5in. to increase the permeable surface between the house and driveway. There would be an additional 2ft. added to the width of the parking pad on the Belmont Avenue side to more comfortably allow two cars. As there is no garage in the back yard, or the possibility thereof, this new 20ft x 24ft. area will serve the family's two vehicles and have a much smaller overall impervious area than a typical garage in the rear layout. The connecting driveway will then taper to 15ft in width over a 20ft. length, and then continue to taper into the existing apron, as outlined by the example in the Village building permit application for driveways at grade. This allows for a gradual narrowing of the driveway, and creates sufficient room to safely maneuver one of the vehicles past the other to the street.

*Front Yard Landscaping Project:*

Front facing stairs are a traditional component of a front porch entry, and prevalent throughout the area; we feel that this feature is necessary to the design. With the recent small addition to the home, the foyer was extended 3ft to allow a total foyer depth of 7ft. This leaves a depth of 6ft. for the open front porch, which now sits at the edge of the building line. These are shallow dimensions for a foyer depth and front porch design. We believe it is reasonable to allow three stairs with a rise of 21in. total to extend over the building line. The new stairs and front walkway would connect the front porch toward the front of the house at the street, allowing for a recognizable walking entry to the house from the street, and have low-height garden walls. New planters would flank the front porch, and diminutive side stairs allow for balance and movement directly to the parking pad. A large planting between the driveway and entry will provide permeable surfaces edging the hardscapes, and lush landscaping to accentuate the formal entry. The large, existing trees will remain, to be enjoyed from the new front walk that will arch from the front porch area.



## PLANT LIST

[illegible]